

House File 726 - Enrolled

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HOUSE FILE 726

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1 3 AN ACT
1 4 ALLOWING A PHYSICIAN ASSISTANT AND AN ADVANCED REGISTERED
1 5 NURSE PRACTITIONER TO CERTIFY AN ALLEGED INTOXICATED DRIVER'S
1 6 INCAPACITATED STATE FOR PURPOSES OF CHEMICAL TESTING.
1 7
1 8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
1 9
1 10 Section 1. Section 321J.7, Code 2005, is amended to read
1 11 as follows:
1 12 321J.7 DEAD OR UNCONSCIOUS PERSONS.
1 13 A person who is dead, unconscious, or otherwise in a
1 14 condition rendering the person incapable of consent or refusal
1 15 is deemed not to have withdrawn the consent provided by
1 16 section 321J.6, and the test may be given if a licensed
1 17 physician, physician assistant, or advanced registered nurse
1 18 practitioner certifies in advance of the test that the person
1 19 is ~~dead~~, unconscious, or otherwise in a condition rendering
1 20 that person incapable of consent or refusal. If the
1 21 certification is oral, a written certification shall be
1 22 completed by the physician, physician assistant, or advanced
1 23 registered nurse practitioner within a reasonable time of the
1 24 test.
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1 28 _____
1 29 CHRISTOPHER C. RANTS
1 30 Speaker of the House
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1 33 _____
1 34 JOHN P. KIBBIE
1 35 President of the Senate
2 1 I hereby certify that this bill originated in the House and
2 2 is known as House File 726, Eighty-first General Assembly.
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2 4
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2 6 _____
2 7 MARGARET THOMSON
2 8 Chief Clerk of the House
2 9 Approved _____, 2005
2 10
2 11
2 12 _____
2 13 THOMAS J. VILSACK
2 14 Governor